IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WA.No. 2685 of 2002(D)

AGAINST THE JUDGEMENT IN OP.14367/1999
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APPELLANTS: PETITIONERS
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1. C.V.SHAJI, DRIVER,
KERALA STATE ELECTRICITY BOARD,
BRAHMAPURAM DIESEL POWER PROJECT, BRAHMAPURAM.

2. GAYATHRIDEVI P.K., SKILLED ASSISTANT,
(CIVIL DIPLOMA) -DO- -DO-.

3. USHADEVI.C., TYPIST, -DO- -DO-.

4. SEBIMOL B.VARGHESE,
SKILLED ASSISTANT (CIVIL DIPLOMA), -DO- -DO-.

5. JAYALEKSHMY M.N., COMPUTER OPERATOR,
-DO- -DO-

6. SARITHA K.S., SKILLED ASSISTANT
(ELECTRICAL), -DO-

7. ANILKUMAR.N., GARDENER-CUM-CARETAKER,
-DO-

8. ALIAS A.D., DRIVER, -DO- -DO-

9. C.T.JAYPRAKASAN, OFFICE ATTENDANT,
-DO-

10. K.J.ANTONY, OFFICE ASSISTANT, -DO- -DO-

11. P.A.CARLOSE, DRIVER, -DO- -DO-

12. C.M.NASSAR, DRIVER, -DO- -DO-

13. YOUSEPH P.V., OFFICE ASSISTANT, -DO- -DO

14. JOY THOMAS.P., SKILLED ASSISTANT (ELE.DIPLOMA), -DO-

15. K.P.GOPALAKRISHNAN, XEROX MACHINE OPERATOR, K.S.E.B., BRAHMAPURAM DIESEL POWER PROJECT, BRAHMAPURAM.

16. JAYAPRAKASH V.V., SKILLED ASSISTANT (ELECTRICAL DIPLOMA), -DO-

17. C.V.JOY, SKILLED MAZDOOR (ELECTRICAL), -DO- -DO-

18. THANKAMMA K.M., TYPIST, -DO- -DO-

19. REENA XAVIER, SKILLED ASSISTANT, (CIVIL DIPLOMA), -DO-

20. M.K.PATHUMMA, SWEEPER, -DO- -DO-

21. LEELA P.K., OFFICE ASSISTANT, -DO- -DO-

22. P.K.THANKAMMA, SWEEPER, -DO- -DO-

23. ALEEMA IBRAHIM, SWEEPER, -DO- -DO-

24. SURESH KUMAR V.M., SKILLED (I.T.I) -DO- -DO-

25. M.A.RAVI, PLUMBER, -DO- -DO-

26. M.D.JOSE, GARDENER, K.S.E.B., BRAHMAPURAM DIESEL POWER PROJECT, BRAHMAPURAM.

27. K.JAYACHANDRAN NAIR, SKILLED ASSISTANT & CARETAKER, K.S.E.B., BRAHMAPURAM DIESEL POWER PROJECT, BRAHMAPURAM.

28. M.A.PAREED, OFFICE ASSISTANT, -DO- -DO-

29. THANKAMMA T.K., SWEEPER, -DO- -DO-

30. BIJU P.D., DRIVER, -DO- -DO-

31. V.S.ABDULKHADER, OFFICE ASSISTANT,
K.S.E.B., B.D.P.P., BRAHMAPURAM.

32. SHAMSUDEEN V.M., SKILLED ASSISTANT,
K.S.E.B., B.D.P.P., BRAHMAPURAM.

33. ISMAEL T.K., SKILLED ASSISTANT,
K.S.E.B., B.D.P.P., BRAHMAPURAM.

34. SUPRAN T.K., SKILLED ASSISTANT
(MECH. DIPLOMA), -DO-

35. SANTHOSH KUMAR C.C., SKILLED ASSISTANT,
-DO- -DO-

36. SURESH KUMAR K.P., FIREMAN, -DO- -DO-

37. SASI.N.K., SKILLED ASSISTANT,
KERALA STATE ELECTRICITY BOARD,
BRAHMAPURAM DIESEL POWER PROJECT, BRAHMAPURAM.

38. SURENDRAN.A.U., SKILLED ASSISTANT,
-DO- -DO-

39. P.D.JOY, DRIVER, -DO- -DO-

40. V.K.IBRAHIM, GARDENER, -DO- -DO-

41. PRASAD C.T., SKILLED ASSISTANT &
FIREMAN, -DO- -DO-

42. SUKUMARAN M.K., WORKER, -DO- -DO-

43. SALAM.T.A., WORKER, -DO- -DO-

44. TINY FRANCIS.K.P., SKILLED ASSISTANT,
(I.T.I.), -DO- -DO-

45. KANNAN A.P., BOILER ATTENDANT, -DO- -DO-

46. ANIL KUMAR.V.R., SKILLED ASSISTANT,
-DO- -DO-

47. ABY MATHEW, SKILLED ASSISTANT,
-DO- -DO-

48. SHOUKATH ALI.A., FIREMAN, -DO- -DO-

49. NEVIN.K.M., BOILER ATTENDANT,
K.S.E.B., B.D.P.P., BRAHMAPURAM.

50. SHAIJU KURIAKOSE, SKILLED ASSIST.(I.T.I)
-DO- -DO-

51. SIJU KURIAN, SKILLED ASSISTANT (I.T.I.),
-DO- -DO-

52. GEORGE.K.C., DRIVER, -DO- -DO-

53. BIJU ABRAHAM, SKILLED ASSISTANT (I.T.I.)
-DO- -DO-

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS: RESPONDENT/PETITIONERS
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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY, VAIDHYUTHY BHAVAN,
THIRUVANANTHAPURAM.

2. P.RAJENDRAN PILLAI, DRIVER,
K.S.E.B. ELECTRICAL CIRCLE, ALAPUZHA.
(DELETED).

3. RAJAN.P.K., DRIVER, K.S.E.B.,
BRAHMAPURAM DIESEL POWER PROJECT, BRAHMAPURAM.
(DELETED).

4. GEORGE V.C., DRIVER, K.S.E.B., W.B.P.,
BRAHMAPURAM.
(DELETED).

5. NEPSY XAVIER, SKILLED ASSISTANT
(CIVIL DIPLOMA), B.D.P.P., BRAHMAPURAM.
(DELETED).

6. VINOD MATTAMAN, DRIVER, K.S.E.B.,W.B.P.,
BRAHMAPURAM.
(DELETED).

7. THERESSA THOMAS, SKILLED ASSISTANT,
(SUB ENGINEER- CIVIL) -DO- -DO-
(DELETED).

8. SHEELA KRISHNANKUTTY, OFFICE ASSISTANT,
-DO- -DO-

9. N.D.DEEPAK, CARE TAKER, K.S.E.B.,W.B.P.,
BRAHMAPURAM.

10. RAJEEVAN.T.K., WORKER, K.S.E.B.,
W/B OFFICE, KALOOR.

11. SURESH T.K., DRIVER, -DO- -DO-
(DELETED).

12. JOSEPH.C.A., DRIVER, -DO- -DO-

13. RAJESH.K.L., DRIVER, -DO- -DO-

14. SAJITHA.K.K., SWEEPER, K.S.E.B.,
BRAHMAPURAM.

15. RAJANI.L.T., SWEEPER & OFFICE ASSISTANT,
K.S.E.B., W/B, B.D.P.P., BRAHMAPURAM.

16. T.K.KRISHNAKUMAR, OVERSEAR, K.S.E.B.,
W/B, KALOOR.

17. REEBA.K., SUB ENGINEER
(SKILLED ASSISTANT) W.B.P., BRAHMAPURAM.
(DELETED).

18. REKHA.V.K., SUB ENGINEER
(CIVIL SKILLED ASSISTANT) -DO- -DO-
(DELETED).

19. INDIRA.P.V., TYPIST, -DO- -DO-
(DELETED).

20. RAJESH P.ARAVIND,
SUB- ENGINEER (ELECTRICAL), -DO-
(DELETED).

21. AYYOOB V.A., OFFICE ASSISTANT,
K.S.E.B., W.B.P., BRAHMAPURAM.

22. SUNILKUMAR N.R., SUB ENGINEER
(ELECTRICAL), -DO-
(DELETED).

23. AJIL KUMAR.K.N., SHIFT ASSISTANT,
-DO-

24. P.N.KRISHNANKUTTY, DRIVER,
-DO- -DO-
(DELETED).

25. MANOJ.P.UNNI, SHIFT ASSISTANT,
K.S.E.B., W.B.P., BRAHMAPURAM.
(DELETED).

26. MINI.P.V., SKILLED ASSISTANT,
(CIVIL DIPLOMA), -DO- -DO-
(DELETED).

27. VINAYAKUMAR.V.B., OVERSEAR,
K.S.E.B., W/B, KALOOR.

28. RAJAN.P.S., DRIVER,
KERALA STATE ELECTRICITY BOARD, W/B, KALOOR.
(DELETED).

29. REJI.K.THARIAN, -DO- -DO- W/B,
BRAHMAPURAM.
(DELETED).

30. BIJU.M.D., OFFICE ASSISTANT,
K.S.E.B., W/B, KALOOR.

31. SMITHA.T.S., SUB ENGINEER, (ELECTRICAL),
-DO- -DO-

32. SAJEEVAN K.S., SUB ENGINEER, -DO- -DO-
(DELETED).

33. TOMY MATHEW, SUB ENGINEER, -DO- -DO-
(DELETED).
RESPONDENTS 2 TO 7,11,17 TO 20,22,24 TO 26,28,29,
32 AND 33 ARE DELETED FROM THE PARTY ARRAY AT THE
RISK OF THE PETITIONERS AS PER ORDER DATED
27-11-2002 IN CMP 7457/2002.

BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB
SRI.N.RAGHURAJ
SRI.N.RAGHURAJ
SMT.K.AMMINIKUTTY
SMT.K.AMMINIKUTTY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP 7115/02 IN WA 2685/02

DISMISSED

SD/- K.S.RADHAKRISHNAN,JUDGE.
SD/- ANTONY DOMINIC, JUDGE.

19/6/2007

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.2685 of 2002
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Dated this the 19th day of June, 2007.

JUDGMENT

Radhakrishnan,J.

Appellants were appointed on a provisional basis under Rule 9(a)(i) of K.S. & S.S.R. Original Petition was preferred to regularise the service of the petitioners. Learned single Judge dismissed the Original Petition against which this Writ Appeal has been filed. When the matter came up for admission, this Court passed an order on 5.11.2002 stating that the petitioners' service should not be terminated for accommodating contract employees, but it was ordered that if they are not required in the service or P.S.C. hands are available, this will not stand in the way to take appropriate action. No further orders are necessary. Writ Appeal is disposed of.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

ess 20/6